

Requirements of 13-801

- I. What reservation of rights language is appropriate for Ameritech's tariff.

In the proposed tariff at:

ICC No. 20, Part 2, Section 10, Sheet No. 1 & 1.1
Part 19, Section 1, Sheet No. 1, 2, & 2.1
Part 19, Section 2, Sheet No. 1
Part 19, Section 15, Sheet No. 2 & 3
Part 19, Section 20, Sheet No. 2 & 3
Part 19, Section 21, Sheet No. 1 & 1.1
Part 22, Section 1, Sheet No. 1
Part 23, Section 2, Sheet No. 1

Ameritech reserves its rights to withdraw the offerings of the tariff-filing, if certain conditions are met. The language also makes assertions about the tariff's compliance with the Illinois Public Utility Act (PUA).

- II. The Commission shall require the incumbent local exchange carrier to provide interconnection, collocation, and network elements in any manner technically feasible to the fullest extent possible to implement the maximum development of competitive telecommunications services offerings. As used in this Section, to the extent that interconnection, collocation, or network elements have been deployed for or by the incumbent local exchange carrier or one of its wireline local exchange affiliates in any jurisdiction, it shall be presumed that such is technically feasible in Illinois 13-801(a)

See Ameritech redlined Tariff ICC 20 Part 19 Section 1 Sheet 1 paragraph 1.

- III. The incumbent local exchange carrier may not require the requesting carrier to interconnect at more than one technically feasible point within a LATA. 13-801(b)(1)(B)

See Ameritech's redlined Tariff ICC 20 Part 23 Section 2 Sheet 5.1 paragraph 3.

- IV. Interconnection must be at least equal in quality and functionality to that provided by the incumbent local exchange carrier to itself or to any subsidiary, affiliate, or any other party to which the incumbent local exchange carrier provides interconnection.. 13-801(b)(1)(C)

- V. An incumbent local exchange carrier shall make available to any requesting telecommunications carrier, to the extent technically feasible, those services, facilities, or interconnection agreements or arrangements that the incumbent local exchange carrier or any of its incumbent local exchange subsidiaries or affiliates offers in another state under the terms and conditions, but not the stated rates, negotiated pursuant to Section 252 of the federal Telecommunications Act of 1996. Rates shall be established in accordance with the requirements of subsection (g) of this Section. 13-801(b)(2)

- VI. An incumbent local exchange carrier shall also make available to any requesting telecommunications carrier, to the extent technically feasible, and subject to the unbundling provisions of Section 251(d)(2) of the federal Telecommunications Act of 1996, those unbundled network element or interconnection agreements or arrangements that a local exchange carrier affiliate of the incumbent local exchange carrier obtains in

another state from the incumbent local exchange carrier in that state, under the terms and conditions, but not the stated rates, obtained through negotiation, or through an arbitration initiated by the affiliate, pursuant to Section 252 of the federal Telecommunications Act of 1996. Rates shall be established in accordance with the requirements of subsection (g) of this Section. 13-801(b)(2)

- VII. An incumbent local exchange carrier shall provide for physical or virtual collocation of any type of equipment for interconnection or access to network elements at the premises of the incumbent local exchange carrier on just, reasonable, and nondiscriminatory rates, terms, and conditions. The equipment shall include, but is not limited to, optical transmission equipment, multiplexers, remote switching modules, and cross-connects between the facilities or equipment of other collocated carriers. 13-801(c)

See Ameritech's redlined Tariff ICC 20 Part 23 Section 4 Sheet 1.2 paragraph 10 See Ameritech's redlined Tariff ICC 20 Part 23 Section 4 Sheet 11 paragraph 5.

- VIII. An incumbent local exchange carrier shall also allow, and provide for, cross connects between a noncollocated telecommunications carrier's network elements platform, or a noncollocated telecommunications carrier's transport facilities, and the facilities of any collocated carrier, consistent with safety and network reliability standards. 13-801(c)

Ameritech's existing collocation tariff allows for these cross-connects. Also See Ameritech's redlined Tariff ICC 20 Part 23 Section 4 Sheet 9.2 last bullet point.

- IX. An incumbent local exchange carrier shall provide unbundled network elements in a manner that allows requesting telecommunications carriers to combine those network elements to provide a telecommunications service. 13-801(d)(1)
- X. An incumbent local exchange carrier shall not separate network elements that are currently combined, except at the explicit direction of the requesting carrier. 13-801(d)(2)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Sheet 7 paragraph last.

- XI. Upon request, an incumbent local exchange carrier shall combine any sequence of unbundled network elements that it ordinarily combines for itself, including but not limited to, unbundled network elements identified in The Draft of the Proposed Ameritech Illinois 271 Amendment (I2A) found in Schedule SJA-4 attached to Exhibit 3.1 filed by Illinois Bell Telephone Company on or about March 28, 2001 with the Illinois Commerce Commission under Illinois Commerce Commission Docket Number 00-0700. The Commission shall determine those network elements the incumbent local exchange carrier ordinarily combines for itself if there is a dispute between the incumbent local exchange carrier and the requesting telecommunications carrier under this subdivision of this Section of this Act. 13-801(d)(3)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Sheet 2 paragraph 2; See Ameritech's redlined Tariff ICC 20 Part 19 Section 20 Sheet 1 paragraph 3. This issue will involve:

- provisioning of UNE-P and EELs as well as what rates should apply to "new" combinations.
- The issue of what "ordinarily combined" means.
- The request process for combining elements. and
- Are EEL point to point combinations "ordinarily combined"

- XII. The incumbent local exchange carrier shall be entitled to recover from the requesting telecommunications carrier any just and reasonable special construction costs incurred in combining such unbundled network elements (i) if such costs are not already included in the established price of providing the network elements, (ii) if the incumbent local exchange carrier charges such costs to its retail telecommunications end users, and (iii) if fully disclosed in advance to the requesting telecommunications carrier. 13-801(d)(3)
- XIII. A telecommunications carrier may use a network elements platform consisting solely of combined network elements of the incumbent local exchange carrier to provide end to end telecommunications service for the provision of existing and new local exchange, interexchange that includes local, local toll, and intraLATA toll, and exchange access telecommunications services within the LATA to its end users or payphone service providers without the requesting telecommunications carrier's provision or use of any other facilities or functionalities. 13-801(d)(4)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 21 Sheet 1.1 paragraph 2 and Sheet 5 paragraph 1.

- XIV. The Commission shall establish maximum time periods for the incumbent local exchange carrier's provision of network elements. The maximum time period shall be no longer than the time period for the incumbent local exchange carrier's provision of comparable retail telecommunications services utilizing those network elements. The Commission may establish a maximum time period for a particular network element that is shorter than for a comparable retail telecommunications service offered by the incumbent local exchange carrier if a requesting telecommunications carrier establishes that it shall perform other functions or activities after receipt of the particular network element to provide telecommunications services to end users. The burden of proof for establishing a maximum time period for a particular network element that is shorter than for a comparable retail telecommunications service offered by the incumbent local exchange carrier shall be on the requesting telecommunications carrier. Notwithstanding any other provision of this Article, unless and until the Commission establishes by rule or order a different specific maximum time interval, the maximum time intervals shall not exceed 5 business days for the provision of unbundled loops, both digital and analog, 10 business days for the conditioning of unbundled loops or for existing combinations of network elements for an end user that has existing local exchange telecommunications service, and one business day for the provision of the high frequency portion of the loop (line-sharing) for at least 95% of the requests of each requesting telecommunications carrier for each month. 13-801(d)(5)
- XV. When a telecommunications carrier requests a network elements platform referred to in subdivision (d)(4) of this Section, without the need for field work outside of the central office, for an end user that has existing local exchange telecommunications service provided by an incumbent local exchange carrier, or by another telecommunications carrier through the incumbent local exchange carrier's network elements platform, unless otherwise agreed by the telecommunications carriers, the incumbent local exchange carrier shall provide the requesting telecommunications carrier with the requested network elements platform within 3 business days for at least 95% of the requests for each requesting telecommunications carrier for each month. 13-801(d)(6)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Page 7 paragraph 4.

- XVI. A requesting telecommunications carrier may order the network elements platform as is for an end user that has such existing local exchange service without changing any of the features previously selected by the end user. The incumbent local exchange carrier shall provide the requested network elements platform without any disruption to the end user's services. 13-801(d)(6)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Page 7 paragraph 5.

- XVII. Absent a contrary agreement between the telecommunications carriers entered into after the effective date of this amendatory Act of the 92nd General Assembly, as of 12:01 a.m. on the third business day after placing the order for a network elements platform, the requesting telecommunications carrier shall be the presubscribed primary local exchange carrier for that end user line and shall be entitled to receive, or to direct the disposition of, all revenues for all services utilizing the network elements in the platform, unless it is established that the end user of the existing local exchange service did not authorize the requesting telecommunications carrier to make the request. 13-801(d)(6)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Page 7 paragraph 3.

- XVIII. A telecommunications carrier may request the incumbent local exchange carrier to provide a schedule of rates listing each of the rate elements of the incumbent local exchange carrier that pertains to a proposed order identified by the requesting telecommunications carrier for any of the matters covered in this Section. The incumbent local exchange carrier shall deliver the requested schedule of rates to the requesting telecommunications carrier within 2 business days for 95% of the requests for each requesting carrier. 13-801(i)

See Ameritech's redlined Tariff ICC 20 Part 19 Section 15 Sheet 5 paragraph 5 See Ameritech's redlined Tariff ICC 20 Part 19 Section 20 Sheet 5 paragraph 4

- XIX. Other than as provided in subdivision (d)(4) of this Section for the network elements platform described in that subdivision, nothing in this amendatory Act of the 92nd General Assembly is intended to require or prohibit the substitution of switched or special access services by or with a combination of network elements nor address the Illinois Commerce Commission's jurisdiction or authority in this area. 13-801(j)